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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/648,101	08/25/2000	Kenji Hatori	CAN0:012	4359

7590 07/17/2003  
Rossi & Associates  
P O Box 826  
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EXAMINER

WU, JINGGE

ART UNIT	PAPER NUMBER
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2623

DATE MAILED: 07/17/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/648,101

Applicant(s)

HATORI, KENJI

Examiner

Jingge Wu

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 August 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Specification***

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims 1-27 are directed.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

Claims 1-27 are rejected under 35 U.S.C. 102(e) as being anticipated by US 6392658 to Oura.

As to claim 10, Oura discloses an image processing method comprising:

displaying a synthesized image on display means (fig. 5 and 8, S8, col. 5 lines 16-18);

designating a portion of said synthesized image displayed on the display means ( figs. 5 and 8, col.5 line 54-col. 6 line 47); and

correcting the designated portion of the synthesized image (figs. 5 and 8, col. Line 54-col. 6 line 47, col. 8 lines 15-67).

As to claim 11, Oura further discloses designating a joint portion (fig. 5 S9) and carrying out resynthesis of images at the joint portion (figs. 5 and 8, col. 4 lines 60-col. 6 line 47).

As to claims 12-14, Oura further discloses inputting relative positions of the images to be joint together at the joint portion and individually moving the image to the position on the display means and superimposing them (figs. 5 and 8, col. 5 line 64-col. 6 line 9), and correcting the synthesized image by carrying out resynthesis based the input positions (figs. 5 and 8, col. 4 lines 60-col. 6 line 47).

As to claim 15, Oura further discloses selecting (inputting) the points to be connected from the partial images to be joint and dragged to the position to be superimposed or conducting the synthesis process automatically by inputting the relative positions of the pictures (figs. 5-8, col. 4 lines 60-col. 6 line 47).

As to claims 16-17, Oura further discloses display controlling for displaying the joint portion in a specifiable manner and in superposition upon the synthesized image (figs. 5-7, col. 5 line 8-col 5 line 24).

As to claim 18, Oura further discloses displaying at least one of a written instruction and an animation explaining an operating method concerning correction of the synthesized image on the display when conducting the correction (figs. 6-7 and 14-16, note that "stitch point (manual)" is the written instruction; "align stitch point -51/8", "designate stitch points -1/2(1)" and "stitch start" are the animated instruction).

Claims 1-9 and 19-27 are the corresponding method and machine readable storage medium claims to claims 10-18 respectively. The discussion are addressed with regard to claims 10-18.

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**Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6148118 to Murakami et al., US 5982951 to Katayama et al., US 6396960 to Yoshimura, and US 5721624 to Kumashiro et al. disclose methods for image synthesis.

**Contact Information**

Any inquiry concerning this communication or earlier communications should be directed to Jingge Wu whose telephone number is (703) 308-9588. He can normally be reached Monday through Thursday from 8:00 am to 5:30 pm. The examiner can be also reached on second alternate Fridays.

Any inquiry of a general nature or relating to the status of this application should be directed to TC customer service whose telephone number is (703) 306-0377.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Amelia Au, can be reached at (703) 308-6604.

The Working Group Fax number is (703) 872-9314.

Jingge Wu

Primary Patent Examiner

